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ABSTRACT

This discussion paper addresses two policy questions: (1) Can Canada afford to maintain its income security programs and social services, given the higher costs expected with an aging population? and (2) Do generous social programs discourage family responsibility or reinforce expectations of assistance within and between generations? The paper compares the philosophy, context, and outcomes of Canadian social programs with those of several other industrialized countries, including France, Germany, Sweden, and the United States. The legal obligations of Canadian families are compared to those in other jurisdictions and some social programs designed to help families meet their obligations are outlined. Informal services provided by family members for one another illustrate how families go beyond the minimum legal standards. It is argued that social programs can be made more comprehensive with some additional reforms and that more generous social programs reinforce both family and social responsibility. The paper maintains that youth unemployment and the requirement of continuous labor force participation to receive social benefits rather than the "burden" of the welfare state foment intergenerational conflict. The paper concludes by asserting that Canada should make greater efforts to reduce unemployment rates while ensuring that social benefits are not tied to full-time continuous employment, and that positive policy options--especially in the areas of job creation, employment training, and family benefits--are found in European countries such as Sweden and Germany. (Contains 42 references.) (KB)

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"Reinforcing Obligations and Responsibilities Between Generations:

Policy Options from Cross-National Comparisons"

by

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I

Introduction

During the 1980s, global trade and economic restructuring have led to increased unemployment, poverty and inequality in most western democracies (Baker, 1995). To counteract the declining real wages of men, more middle-class women and mothers entered the North American labour force, necessitating the daytime care of their children. At the same time, divorce rates soared, creating more lone-mother families who were unable to support themselves on their earnings. These trends have placed considerable strain on individuals and families, but also on social welfare programs, most of which were developed in the more prosperous times of the 1950s to the 1970s when family life was more stable and conventional.

Over the decades, social programs have become more costly with higher unemployment, changes in the structure of work and new family forms. Although governments are questioning their ability to improve or even maintain social programs, many people have come to perceive these benefits as entitlements or at least necessary for their full participation in society. This has led to considerable public discussion about financing the rising cost of the welfare state, creating new policy options, and transferring more responsibilities from government to families, voluntary organizations and the private sector.

Since the 1960s, families have become smaller and marriage less stable. Social and legal expectations about family responsibility have been challenged by the numbers of people opting for cohabitation rather than legal marriage, more

births outside marriage, new reproductive technologies, new immigrants with different cultural traditions, high divorce rates, and low rates of paternal child support after marriage dissolution. To acknowledge and control these changes in family structure and personal behaviour, all industrialized countries have reformed their legal systems and social programs.

Laws and social programs all contain implicit or explicit ideas about "normal" family interaction and responsibilities, as well as government obligations to families. Some jurisdictions have also developed expensive and comprehensive programs to protect the incomes and well-being of all citizens, especially children, persons with disabilities, the unemployed and the elderly. Other jurisdictions have expected family members to obtain private insurance or to assist one another with minimal government involvement unless the family clearly cannot cope.

Critics of the welfare state (especially in North America) have argued that government social programs are becoming too costly. With an aging population, health and pension costs will rise so much that the younger generation of taxpayers will be unable or unwilling to finance these programs in the future. In addition, critics argue that unemployment rates have remained high because government benefits (such as unemployment insurance and welfare) encourage unnecessary public dependency and family dissolution. These critics assert that beneficiaries of social programs could become more self-sufficient with greater encouragement. Family members should be pressed to rely more on one another, while communities

and voluntary organizations should play a larger role in helping families that are truly needy. These statements, however, contain ideological elements that are highly debatable and should be thoroughly examined.

This discussion paper addresses two important policy questions. First, can we afford to maintain our income security programs and social services, given the higher costs expected with an aging population, or must we pare these programs down? Second, do generous social programs actually discourage family responsibility or do they reinforce expectations of assistance within and between generations? In this paper, the philosophy, context and outcomes of Canadian social programs will be compared with those in several other industrialized countries[1]. I argue that we can actually make our social programs more comprehensive if we make some reforms, and that more generous social programs reinforce both family and social responsibility.

The position that the "burden" of the welfare state will augment intergenerational conflict, I argue, is a position of the political right and of those who have not examined the existing programs of certain European countries. It is not social welfare programs that will augment conflict between generations, but rather youth unemployment and the requirement of continuous labour force

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[1] As my previous research (Baker, 1995) covered the following countries: Australia, Canada, France, Germany, the Netherlands, Sweden, United Kingdom and the United States, I will focus on these in this paper.

attachment in order to receive social benefits[2]. This conflict could be further augmented by the retreat of Canadian public policy from full employment and the increased reliance on market forces to create jobs and provide economic well-being.

If we compare Canada with several European countries, we find that they share some of the same trends of economic "globalization", rising unemployment and increasing social program costs. In addition, many of these jurisdictions have experienced a decline in birth and marriage rates, a rise in women's labour force participation, and higher divorce rates, but their populations tend to be much older. Despite these trends, several European countries have created cultural expectations, a legislative framework, enforcement mechanisms, and government transfers that clearly reinforce the importance of intergenerational and intragenerational obligations and responsibilities.

Moreso than Canada, these governments have emphasized the social value of family life to the well-being of the nation and collectivity, especially childbearing, nurturance and informal support. These European governments have played a more visible and proactive role than North American jurisdictions in maintaining income security, helping citizens to find work, enabling parents to raise their children, and assisting elders to retire comfortably. They have reinforced personal and family responsibility but also contributed to high levels of life expectancy, moderate birth

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[2] In Canada, benefits such as unemployment insurance, extended medical insurance, maternity/parental benefits, workers compensation and Canada/Quebec Pension Plan are all tied to labour force attachment.

rates, moderate divorce rates and health care costs, fewer work/family conflicts, and much lower rates of poverty among families with children and among seniors than North American jurisdictions (Baker, 1995).

European social programs typically include more generous maternity/parental benefits, subsidized or government-run child care services, universal child allowances, prevention programs for families at risk, better enforcement of child support, longer vacation and family leave from employment, and better wage replacement in work-related pensions. Yet this generosity comes at the price of higher taxes for certain categories of citizens, typically employers, high earners, the wealthy and the childless. For families with dependent children and for seniors, however, tax rates are often lower in Europe. Before I discuss how these social programs reinforce family obligations, I would like to discuss briefly the philosophy behind family policies and their relation to social programs.

Variations in Family Policies

Family policies are principles about the state's role in family life designed to be implemented through legislation, regulations or social programs. Family policies can be divided into three categories: laws relating to family obligations and rights, policies to help support family income, and provision of direct services to family members (McDaniel, 1990). The family policies of most governments (including Canada's) are implicit and imbedded within more general legislation and social

programs, yet they still imply a particular view of the state's role in family and personal life. This message is not always consistent though, because policies were created by different governments with varying priorities. A few jurisdictions have organized more explicit and coherent family policies, sometimes creating separate government structures to oversee them, as in Quebec.

All jurisdictions that I studied assume that the family is an important social institution worthy of government support. From the government point of view, families stabilize individual members' personal lives and contribute to social control. Couples bear and socialize children, and in doing so, populate the nation with future voters, taxpayers and employees, and perpetuate the culture. All the jurisdictions I studied have created family laws that define eligibility for marriage and divorce, that expect spouses to support each other and their children, and offer protection to vulnerable members against physical or financial abuse. Once couples marry, governments seldom intervene in family life unless members are abusive or families are clearly malfunctioning. Yet in the event of marriage breakdown, all governments clearly define how matrimonial property should be divided, which parent receives custody of children and what financial support is required.

All the jurisdictions have attempted to create income security programs that neither reward nor punish particular family configurations, although historically, the programs in the eight countries have been biased in favour of heterosexual couples and patriarchal families. In recent years, all jurisdictions have broadened the

definition of `family' to include single parents, adoptive parents and cohabiting couples. A few have included gay and lesbian couples in their definitions of family, yet governments have placed more emphasis on the family responsibilities of these units rather than on their entitlement to benefits.

Most of the countries (except United States) have developed a relatively coherent social security system that provides government benefits in the event of unemployment, pregnancy, disability, illness, poverty and old age. All jurisdictions also encourage the development of formal family services (such as child abuse protection, marriage and family counselling, and visiting homemaker services). These services are run by government or voluntary agencies, but are usually funded or at least subsidized by government. Furthermore, governments often encourage informal family support through tax benefits or allowances (such as child allowances or tax credits for dependent care).

Family policies in different jurisdictions do not always have the same focus or goals, however. Some jurisdictions view `the family' as the most important unit of social policy and indicate this importance by offering large income tax incentives to people who marry and reproduce (such as in France). Other jurisdictions (such as the US) focus their programs and services on low-income children or seniors, implying that these groups are more deserving of scarce government resources. Still other jurisdictions concentrate policy efforts on individual citizens, expecting all adults to participate in the labour force but guaranteeing all citizens a minimum

level of income (such as Sweden).

Through laws and social policies, some governments simply strive to enable adults and children to live their lives with minimal obstacles, and provide a social safety net in the event of unforeseen circumstances (such as unemployment, illness, disability or family crisis) and income loss during pregnancy and old age. Other jurisdictions actively encourage or discourage citizens (or specific ones) from engaging in certain behaviours, such as establishing families and procreating. Pronatalist programs may encourage reproduction by offering housing subsidies to parents, higher allowances for the birth of each subsequent child, or tax benefits for parents with dependent children. On the other hand, antinatalist policies may insist that welfare mothers enter into birth control programs or postpone having additional children. If they fail to comply, their government benefits are cut[3].

In this paper, I will first discuss the legal obligations of families in Canada compared to other jurisdictions, and then outline some of the social programs designed to help families meet these obligations. The informal services that families provide for one another will be mentioned, to illustrate that family members go far beyond the minimum standards of behaviour outlined in the law. The intent of this discussion is not only to demonstrate the range of policy options but also to argue that social programs in Canada and the English-speaking countries (sometimes

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[3] The US Personal Responsibility Act (March 1995) could be viewed as an antinatalist policy because it cuts teen mothers off welfare and denies additional benefits to mothers already on welfare who bear an additional child.

called the `liberal democracies') tend to lack generosity in comparison to those with a tradition of social democracy. This lack of generosity, I will contend, causes considerable hardships for individual families but also impedes the development of social responsibility.

Legal Obligations Between Generations

Family Expectations in Liberal Democracies

Liberal democracies have typically assumed that "the family" is the basic unit of society. In the European tradition, families were "headed" by husbands and fathers who were expected to support and protect their "dependants". Wives and mothers were expected to provide physical and emotional care for their husband and children, and to run the household. It was felt that most spouses and parents were willing and able to fulfill these functions with help from their relatives and neighbours. Therefore, the government need not interfere with "private" family life unless there was a clear indication of malfunction.

Since the 1970s, reformers have successfully argued that the individual rather than the family should be the unit of social policy and that spouses should be considered equal both in their rights and obligations. Furthermore, feminists have argued that social policies should not make a distinction between the private and public aspects of life, as family life and personal choices are very much influenced by employment trends and public policy. Consequently, the demarcation between

what is considered private and what is considered public has changed over the years in most western democracies (Hernes, 1987). Even in North America, the government now monitors, protects and supports families in more ways than in the past.

Yet the assumption remains in North American jurisdictions that families normally can operate successfully with a minimum of government regulation and intervention. Essentially, the law is designed to take over when family members fail to fulfill their "normal" obligations or overstep cultural boundaries of decent behaviour. In the next section, I will discuss what the law actually requires of family members.

Providing the Basic Necessities of Life

The Canadian Criminal Code has always required parents to provide their children with the basic necessities of life. If they fail to do so, they can be charged with a criminal offence. Yet the Criminal Code has seldom been used to enforce parental care and support of children (McGillivray, 1990). Instead, all provinces have created family services legislation or child and youth protection legislation that requires parents to support their children (physically, financially, emotionally and culturally) and to protect them from harm and abuse. Provincial legislation rather than the federal Criminal Code is typically used to enforce these parental obligations. Furthermore, family members in crisis are offered state-funded interventions such

as family therapy, individual counselling, visiting homemakers, budgeting advice, and cash benefits. In more serious cases, the abusive parent may be incarcerated, the mother and children may be offered emergency housing and social assistance, or the children may be removed from the parental home and placed in substitute care. All these services are mandated by provincial or local governments; in Canada, they have been cost shared by both federal and provincial governments (under CAP) since 1966.

The federal Criminal Code also requires adult children to provide the basic necessities of life for their parents if they cannot provide for themselves (Novak, 1993:351). In addition, all provinces (except Saskatchewan, Manitoba and Quebec) require a child to support a needy parent if the parent supported the child during childhood. Although parents are frequently charged with `neglect' or failure to observe a child support order under provincial legislation, the laws requiring adult children to support their parents are seldom enforced in Canada (Novak, 1993:351). Yet as formal care services for the elderly become more strapped for funds, there may be greater pressure on governments to enforce the obligation of adult children to support their aging parents.

Over the past two decades, laws were gradually amended in many jurisdictions to liberalize divorce, equalize the rights of spouses, divide family assets more equitably after marriage breakdown, and improve children's rights. These reforms moved away from viewing the family as the basic unit of society, however,

and placed greater emphasis on individual rights. After two decades, many controversies remain about the fairness and wisdom of some of these reforms.

One important area of controversy has been how to decide the rights and obligations of family members after divorce. Until Canadian family law reform in the 1970s and 1980s, marital roles were considered to be complementary and of equal value to family and society. By law, husbands were required to support their wife and children, and wives were responsible for childcare and the smooth functioning of the household. As more women entered the labour force from the 1960s to the 1990s, reinforcing this traditional division of labour through social policy became less feasible (Baker & Phipps, 1996). Furthermore, researchers and activists demonstrated that the so-called `complementary' roles have not been treated equally in court, especially after divorce (Morton, 1988).

In 1985, the Canadian divorce law was amended to simplify the divorce procedure, redefine `marriage breakdown' as one year of separation, make marriage breakdown the major ground for divorce, and to include the expectation of self-sufficiency shortly after divorce (Diduck, 1990). Now, former husbands are no longer expected to pay life-long alimony, but only temporary `spousal support' based on their former wife's financial need rather than her moral conduct or domestic services during marriage. Yet only about 16% of women now request spousal support and only 6% actually are awarded it (Richardson, 1996).

The 1985 divorce law expects both partners to support themselves (Payne,

1994). While the old law was based on the principle that men were breadwinners and women were their dependents, the amended law implies that both have equal opportunity to become self-supporting after marriage (Morton, 1988). Yet the 1985 law still contains judicial discretion with respect to spousal support, especially for older women unable to find work and long-term homemakers with few job skills (Diduck, 1990).

Divorce law reform has not been restricted to Canada as divorce rates have risen over the past two decades in most industrialized countries, especially the United States[4]. Between 1969 and 1985, divorce law in nearly every Western country was reformed. As in Canada, most countries added a no-fault ground but did not remove the concept of `matrimonial fault' from divorce legislation (Maclean, 1990). California became the first Western jurisdiction in 1969 to completely eliminate any fault ground for divorce (Glendon, 1987).

Despite these reforms, many studies indicate that removing fault grounds from divorce and especially changing life-long alimony to temporary support have had negative consequences for the economic well-being of women and children. Before divorce reform in California in 1969, for example, wives who wanted the marriage to remain intact could refuse to consent to divorce until their husbands

[4] The divorce rate in the US was considerably higher than all the 7 other countries in my study, and more than double that of France and Germany (Baker, 1995:59).

agreed to a higher financial settlement. After reform, however, they could no longer hold up proceedings in this way. Instead, the divorce was automatically granted after a period of separation, spousal support became temporary, and the ex-spouse was expected to become self-sufficient within an established time period (Weitzman, 1985; Jacob, 1988). This legal change, which occurred in Canada in 1985, has been the source of much contention because many former wives have been unable to earn comparable wages to men or to become self-supporting at all, especially if they raised children at home during marriage. This has contributed to high rates of child poverty.

In Canada, granting spousal support for a fixed term is intended to motivate the recipient (usually the woman) to become financially independent as quickly as possible and is influenced by the "clean break" philosophy of divorce (Galarneau, 1992). Yet critics argue that a clean break is not always possible, especially for mothers who retain sole or joint custody of young children. The employability of older women without previous employment experience also cannot be assumed, nor can we expect all women to find full-time work with `living wages' in economies such as Canada with high unemployment rates and a growing non-standard labour force.

Although North American legislation no longer makes gender distinctions in responsibilities or rights, most children continue to live with their mothers after divorce. Furthermore, many fathers fail to support their children on a regular basis,

and some fathers have severed contact completely (Dulac, 1994; Richardson, 1996).

Child Custody and Support

Until the twentieth century, married fathers in Canada retained legal custody of their children both during and after marriage. This meant that fathers were typically granted sole authority to make legal decisions about the child's upbringing and well-being. Guardianship rights could even be passed on to a deceased father's extended family, causing a widowed mother to lose her own children. In 1877, Ontario authorized the courts to grant custody to the mother if the father died, even if he had appointed someone else as guardian in his will. In 1917, British Columbia became the first Canadian province[5] to recognize legally parents' equal right to custody and guardianship of their children (Dranoff, 1977:36). Regardless of the law, however, mothers often retained custody after marriage dissolution. Yet those who bypassed the law could not benefit from statutory rights to support.

By the 1940s, the legal tradition of paternal custody was almost completely reversed in favour of maternal custody in English Canada. Judges came to agree that children in their `tender years' required the care of their mothers more than their fathers. If other factors remained equal, mothers were granted custody of

[5] Quebec was the last province to recognize equal parental rights in 1964 (Dawson, 1990:64).

preschool children. From the 1960s to the 1980s, one parent (usually the mother) was granted sole custody after divorce, while the other was given visiting rights or `access'.

By the 1970s, Canada, the United States and several European countries began to move away from the presumption of maternal custody upon marital separation to decisions based on "the best interests of the child". This concept gives priority to the child's rights as an individual rather than the property rights of either parent, but remains ambiguous and open to varying interpretations (Smart & Sevenhuijsen, 1989). Despite laws requiring custody decisions to be based on the child's welfare, the majority of children in North America and Europe still reside with their mother following marital dissolution. Most parents agree between themselves that the children should live with the mother and the courts tend to confirm this decision (Richardson, 1996). Yet an increasing number of joint custody awards are being made in Canada (in 1991 about 14%). Joint custody is especially prevalent in the United States where some states presume joint custody unless it is proven to be against the best interests of the child (Pearson & Theoness, 1990). Yet jurisdictions vary in how much public support they provide for children living in lone parent families.

As divorce rates have increased, the legal obligation on parents to support their children after marriage dissolution has been strengthened and become quite unequivocal. In France, for example, non-support of children is a crime, while in

Sweden the obligation to support children extends even to step-children. In the Netherlands, a father's application for a passport will be denied if he has failed to support his children (Baker, 1995). In Quebec, grandparents have been asked to pay child support, although this controversial law is presently under review. In recent years, however, Canadian provinces have been less effective than other jurisdictions in enforcing child support awards and protecting lone parent families from poverty.

Most jurisdictions now require lone parents receiving government benefits to co-operate in the attempt to secure support from the non-custodial parent. Yet a vast gap is apparent between legal rhetoric and the social reality of enforcement procedures. A few governments (such as Sweden) have created an advance maintenance system and automatically deduct all court-ordered child support payments from the non-residential parent's earnings and place the money into a government-administered child support fund. If parental contributions fall short of minimum income set by the government, general revenue is used to top-up the fund. This fund is then used to pay a guaranteed income to children regardless of their parents' marital status, ability to contribute or willingness to pay.

Other governments help parents to obtain child support payments only after the first default or only for welfare recipients. Some North American governments have been slow to move away from private enforcement schemes that depend on custodial parents taking the defaulting parent to court, but most are now moving

towards greater government intervention in child support enforcement. Yet this policy change appears to be motivated by attempts to reduce public expenditures on social assistance rather than to guarantee a minimum living standard to children in one-parent families.

Despite the North American preoccupation with making fathers pay, welfare mothers in the US and Canada typically receive no extra money if the father contributes to child support. Instead, mothers' welfare cheques are simply reduced to compensate for paternal support. Some jurisdictions allow the custodial mother and children to keep a portion of the money retrieved from the father. Other jurisdictions (such as Sweden) have concluded that, although enforcing parental support can reduce social assistance expenditures, spending public money searching for unmarried fathers, trying to prove paternity, and forcing fathers to pay child support is not always financially worthwhile for the state. Government funds can be more wisely spent on programs such as universal child allowances, parental benefits and employment training.

Research on child support enforcement indicates that mother-led families are most likely to remain above the poverty line in countries that use an advance maintenance system rather than private enforcement. Yet the enforcement of child support alone does not ensure that lone mothers and their children live above the poverty line. Sweden has been able to keep its low-income rate[6] for lone parents at

[6] income after taxes and government transfers

3% (compared to 48% in Canada and 56% in the US (Ross, Scott & Kelly, 1996)) not solely by enforcing child support laws. Sweden also offers generous parental benefits, universal child allowances, publicly-funded child care, social insurance for unemployment and illness (including children's illness), universal health care, and pay equity for women. Germany has kept poverty rates low by providing most of the same programs but also by paying mothers to care for their children at home for a limited time rather than focusing on women as workers (Baker, 1995).

In recent years, the custody and support of children born within marriage and outside marriage has also changed. Children born outside marriage used to be labelled `illegitimate', which meant that they had no automatic right to financial support or inheritance from their father and he had no right to make decisions about how they were raised. Illegitimate children took their mother's surname and she became their sole guardian (Bala and Clarke, 1981: 219). Since the 1960s, child welfare activists and legal reformers have argued that children should not be penalized financially or socially just because their parents failed to marry legally (Baker & Phipps, 1996). Nor should unmarried fathers be completely excluded from parental rights and obligations.

Higher cohabitation rates and pressure for legal reform since the 1970s have led to the elimination of all distinctions regarding a child's status that are based on the marital status of the parents in several countries. In Canada, some distinctions remain only in Nova Scotia and Alberta (Law Reform Commission of Nova Scotia,

1993:26). Yet sole custody of a child born outside marriage has seldom been awarded to the father rather than mother. Similarly, Canadian unmarried fathers generally have been unsuccessful in opposing the abortion or adoption decisions of their partners (Bala & Bailey, 1990-91). In practice, the rights of unmarried fathers in most jurisdictions have been limited and have not been granted equality with the rights of unmarried mothers.

Despite legislative reform, few real changes are apparent in the lives of children from lone-parent families in Canada. Perhaps governments need to be reminded that enforcing children's right to parental support also reinforces their financial obligations to their parents in later life. As I mentioned earlier, some provincial laws state that adult children must support their parents **if their parents supported them during childhood**. Clearly, Canadian governments have failed to enforce their own court orders by expecting the custodial parent to take her former spouse to court when he fails to pay for his children. These lax enforcement procedures contribute to child poverty and high welfare costs.

Protection Against Abuse

In our culture, we tend to assume that couples marry or live together because they are "in love" and have voluntarily decided to share their lives. Although we know that not all couples live amicably, we expect that they will support each other (financially and emotionally) through good times as well as personal difficulties.

Furthermore, we usually assume that couples who bear and raise children want to give them all they can, both materially and emotionally, and will want to protect them from harm. Although community standards vary, these are basic expectations shared by most people. Furthermore, they are written into the law.

The written law becomes important only when spouses and parents deviate from accepted standards of behaviour, but these standards have changed over time. Now, laws protect vulnerable family members from neglect and violence and mandate social services to deal with family problems (Baker, 1995). These protections typically focus on the most vulnerable, especially children under a specified age and sometimes the frail elderly.

In many European jurisdictions, crisis services for families supplement universal allowances, social insurance programs, universal health care, and community services. In contrast, Canada and the English-speaking countries (especially the United States) have developed child welfare and family service policies which are reactive and focus on protecting children from abuse after it has occurred and been substantiated. Furthermore, once children have reached the legal age of majority, family services are no longer available. Mothers tend to be blamed for children's unruly behaviour, for "neglecting" their children (Swift, 1995), for not protecting them from sexual abuse (Krane, 1994), yet few social supports are in place to prevent family problems.

Children and adolescents from single-parent, visible minority and low-income

families are over-represented in the welfare systems of all the eight countries in my research. Yet there is little policy recognition in the liberal democracies that raising children while living in poverty and racial/cultural discrimination leads to anxiety, anger and resentment, which increases the probability that children will exhibit behavioural problems. There is little policy recognition that unemployment and low income reduce parents' ability to deal amicably with each other and to cope with problem children. Furthermore, there is little policy recognition that poverty and unemployment limit women's opportunities to leave violent partners and to support their children on their own. Few policies in the liberal democracies focus on prevention. Instead, they concentrate on resolving the symptoms of abuse, delinquency and violence on the assumption that clients are experiencing mainly psychological or interpersonal problems (Schwartz, 1991; O'Donnell, 1992). Children with behavioural problems or child victims of violence are counselled, encouraged to accept group therapy or provided with substitute care. Parents who neglect or abuse their children or each other are taught parenting skills, money management and conflict resolution skills. In recent years, North American governments have provided short-term funding for crisis housing and self-help groups but these services are not usually part of the regular family services budget.

In Canada and the English-speaking countries, conflicting demands are placed on social workers as apprehenders of children and providers of family support, which help create high turnover and "burnout" but also errors in judgement

(Gustavsson & Kopels, 1992). New laws requiring mandatory reporting of child abuse have solved some problems but created others. Furthermore, the reorganization of social services and financial cutbacks in some jurisdictions mean that social workers dealing with child and youth protection have no mandate to deal with other pressing concerns in the family. New laws dealing with child abuse give social workers less discretion and more paperwork, even though they may provide a fairer system for children and parents (O'Donnell, 1992).

In many countries, residential treatment for children is becoming increasingly short-term and programs are closing or losing funding. This partly reflects policies of "family preservation" or the importance given to maintaining children in their own family or finding permanent adoptive parents. Yet, in North America, few resources are spent on prevention and resources tend to be mandated for child protection. Removing children from the home and providing substitute care continues despite stated principles of family preservation. Consequently, the real motivation for closing residential programs appears to be financial rather than service improvement. With the economic slow-down of the 1980s, child welfare systems have become vulnerable, especially preventive programs in countries with essentially reactive systems (Schorr, 1989).

In 1989, the United Nations Convention on the Rights of the Child became a binding legal agreement, 30 years after the UN Declaration on the Rights of the Child. Canada was one of the many countries that signed this Convention,

promising certain protections to children's financial, emotional and physical well-being (Baker, 1995:68). In the spirit of this Convention, members of Canada's Parliament unanimously resolved in 1989 to eliminate child poverty by the year 2000, and several pressure groups formed to remind MPs of their commitment and to measure progress. Despite this resolution, federal and provincial services have been cut back in recent years. Furthermore, federal cost-sharing for provincial social services was eliminated in 1996 and replaced by lower levels of block funding. By 1996, critics argue that Canadian governments could do more to lay the institutional groundwork that would keep children out of poverty and encourage their optimal development.

Although Canada has done little to improve the position of low-income families with children since 1989[7], some effort has gone into child protection and research on family violence. Canadian child welfare systems have been reformed to emphasize due process and legal change, but less attention has been paid to the **causes** of abuse and neglect. At the same time, social assistance levels and minimum wages have remained low while unemployment rates have remained high, all factors contributing to family stress. Cost-sharing for provincial child welfare systems, reserved mainly for crisis intervention, has now been replaced by lower levels of federal block funding to the provinces. This suggests that less money will

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[7] For a detailed discussion of policy changes since 1989, see Baker (1995:67-74).

be set aside for prevention work within families and communities in the future.

France and Sweden stand out among the countries in my study for their preventive and proactive approach to family problems and child welfare. Government cash benefits in these countries more effectively reduce child and family poverty than in Canada. Direct services (such as public child care, school nurses and holiday programs for low-income families) prevent or dramatically reduce neglect and violence and the subsequent need for reactive child welfare services and substitute care. In France and Sweden, for example, family or child allowances are more generous, parental leave longer and better-funded, public child care provided or subsidized, child-support after divorce enforced by the government, and some form of guaranteed annual income is securely in place.

Despite the more generous income security programs in the European countries, single mothers and low-income families are still the main clients of the child welfare system in Europe, as in North America and Australia. In the European countries, however, family supports and prevention programs are used more often than substitute care. For example, adoption is sometimes partial and supportive to the birth family, without total and irrevocable loss of parental rights. Respite care, visiting homemakers, surrogate parents and subsidized holiday homes are used more frequently than in Canada and the English-speaking countries. Public child care services provide day-time care and education to children, which also reduces the number of unsupervised or "latch-key" children.

In the European countries, child and family poverty is directly addressed through such income security programs as single mothers' allowances, child allowances, and childrearing benefits. These government transfer programs more effectively counteract low market incomes than similar programs in Australia, Canada, and the US. But in addition to transfer programs, unemployment rates have been lower in most of the European countries[8] than in Canada, allowing more parents to support their children through employment earnings. Furthermore, public consensus has been high in European countries that children are a social responsibility and that public taxes should finance family benefits and services. Consequently, these countries have focussed less on reactive services and more on prevention and family support.

Informal Support Between Generations

Regardless of legal requirements and government programs, most families continue to provide invaluable support for their members. Not only do most parents willingly give sustenance, nurturance, and educational and cultural opportunities to their children while they are growing up, but many parents continue to provide occasional financial support, regular emotional support, and emergency services for their grown children. Parents may lend or give their adult children money to

[8] In 1992, unemployment rates were 4.1 in Sweden, 5.0 in Germany, and 6.4 in the Netherlands, while Canada's rate was 10.2 (Baker, 1995:75). More recently, European rates have increased.

purchase houses or furnishings, offer temporary accommodation, provide babysitting services for their grandchildren, assist their children through bouts of unemployment or marital difficulties, and listen and provide advice on their daily concerns and problems (VIF, 1994).

In return, adult children often provide many services and considerable support for their parents. Regardless of legal requirements, adult children often help their frail and aging parents with financial decisions, practical household chores, medical appointments, health decisions, funeral arrangements, and moving house. Many adults invite their widowed parents to live with them temporarily, or at least offer personal care and emotional support during their declining years. Although increasing attention is paid to the use of professional services for the frail elderly, most caregivers are family members, especially daughters (Aronson, 1991).

Considerable support is also exchanged between adult siblings and other relatives. Particularly in immigrant communities, family members sponsor one other as migrants, help find accommodation and work, and serve as financial guarantors until they are settled. In the wider society, family members often run business enterprises together, sharing their earnings or profits.

Although Canadian governments expect family members to work together and share resources, they have not always treated family workers as equal to non-family employees. For example, the Canadian government allows an income tax deduction for the child care expenses of working parents, but only if these services

are provided by someone outside the family. A husband cannot deduct the child care services of his wife, although he can use the married credit if she earns below a certain level of income. A husband can employ his wife as his bookkeeper and deduct her earnings from his self-employment expenses, but not her domestic services. Similarly, Canadian provinces continue to pay heavily to institutionalize the frail elderly but are still reluctant to pay family members to care for one another at home.

One lesson learned from other jurisdictions is that government payments for the home care of family members may be worthwhile for children, persons with disabilities and the frail elderly (Evers, Pijl & Ungerson, 1994). Payment for care gives the message that care by family members is socially valued and cost effective (and in some cases more convenient and humane) than using formal care or institutions. Payments for care also allow family care providers to defray some of their expenses and earn a small income. Canadian provinces have been willing to pay foster parents to look after other people's children but not family members for the same work. Although the provinces are beginning to organize payment for care for frail elderly, the focus is usually on caring for other people's elderly rather than one's own. Some European countries are using a mix of tax incentives, social security benefits and direct payments for both care recipients and their care providers. These are designed to maintain a supply of caring labour as well as to provide the necessary financial underpinnings to the private and voluntary sectors

of care provision (Ibid).

Families and Social Programs

Historically, families expected to rely on their own earnings to raise their children, yet public funds have long been used for formal schooling. In the late nineteenth and early twentieth centuries, Canadian reformers successfully argued that parents could not be realistically expected to educate their children beyond learning Christian morals, domestic and farm skills, and basic literacy. As employers demanded a more literate and numerate labour force, public money was used to hire teachers, construct schools, and eventually to build the infrastructure for today's education systems. Yet educational costs have risen so fast, especially with the "inflation" of qualifications needed to find a job and the introduction of technology into the schools, that governments are questioning their ability to fund all levels of education without higher taxes or increased user fees. Yet both options place a difficult burden on students and their families, who themselves are facing problems finding work with "living wages".

Early in the twentieth century, public resources were also set aside to finance pensions for veterans, widows and the blind. These people were considered to be "deserving" of public support because they were victims of misfortune rather than indigence or immorality.

Although Canadians have allocated public resources to primary education for

a century and pensions for the deserving poor since the 1920s, we generally expected citizens to look after their own family members when they were ill, unemployed or frail until after the Second World War. From the 1940s and 1970s, however, social programs were established to provide assistance for families, especially during unemployment, childbirth, disability and old age. The establishment of these programs were based on the belief that some issues are public responsibilities rather than merely family or community concerns.

When the Canadian Unemployment Insurance Program was created in the 1940s, the idea was to pool the risk of unemployment among employees, employers and the federal government because these groups all had a vested interest in low rates of unemployment, poverty and social unrest (Cuneo, 1979). Furthermore, Canadians understood that unemployment was sometimes caused by downturns in the economy or international markets rather than individual deficiencies such as lack of skill or incentive. Similarly, when the federal government included maternity benefits under UI in 1971 and parental benefits in 1990, they publicly acknowledged that employers, employees and government share an interest in protecting the job security and earnings of working parents during pregnancy and childbirth. What Canadians have not accepted is that women without a secure attachment to the labour force also require income security when they give birth. Many European countries (such as Germany, France and Sweden) provide a social benefit (separate from `welfare') for all pregnant women (Baker,

1995:156-188).

Old Age Security and the Canada/Quebec Pension Plans were created to end poverty among seniors by creating two different types of programs: a universal one for all seniors funded through general revenue and a social insurance program for former employees funded by employer/employee contributions. These programs have certainly helped reduce poverty among Canadian seniors over the past decades, as poverty rates for seniors have fallen from 34% in 1980 to 17% in 1994 (NCW, 1996:13). Yet Canada's public pensions are less generous than those in several European countries. For example, the maximum replacement rate of public pensions in Canada is 35%, while programs in Sweden and Italy replace 80% of previous earnings. Basing Old Age Security on family rather than individual income will likely further diminish the relative value of Canada's public pensions in the future.

It seems clear that payroll deductions must rise for CPP. European countries pay much higher payroll taxes for old age, disability and retirement pensions than we do. In Sweden, for example, employers paid 7.45% of payroll for the universal pension (something like Old Age Security, but also covering disability) plus 13% for the earnings-related pension in 1991. Swedish employees do not make payroll contributions for pensions but the government pays 25% of universal pension costs. In Germany, employees and employers each paid 8.85% of earnings while the government paid 14.6% annually of the total pension cost in 1991 (US Health

and Human Services, 1992). In addition to lower Canadian contribution rates, only 45% of Canadians are covered by occupational pensions compared to 100% in Sweden, 80% in France, 65% in Germany, and 55% in the USA. Not surprisingly, Canada has much higher poverty rates for older people than European countries such as Sweden, Norway or Germany (Whiteford & Kennedy, 1995).

The Canadian government contributes less to child benefits than to old age pensions. In 1989-90, for example, 2.5% of GDP was spent on Old Age Security (including the Guaranteed Income Supplement) while 0.4% was spent on Family Allowances (Canada, Department of Finance, 1992). Yet, it is difficult to measure the value of various programs because the Canadian government has also cost-shared provincial programs for both children and seniors and some direct services are provided.

When universal Family Allowances were established in 1944-45, the government acknowledged publicly the high cost of parenting and its social value to the entire nation. Taxpayers were willing to allow their government to use public money for the "baby bonus" because there was widespread need for income support during the postwar years and a high value placed on family life. In 1993, the (Conservative) Canadian government began to target child benefits to middle- and low-income families, arguing that universal benefits were no longer affordable. Ironically, this was done at a time when the number of Family Allowance beneficiaries were declining from falling birth rates. With this policy decision,

universal public support disappeared for families with children, although some form of universal benefit for families with children has been retained in the seven other countries of my study. The new Canadian policy suggests that we are interested in using public resources to support childrearing only when families need money or are in crisis. This varies considerably from the European policies I studied.

In Canada, eligibility for provincial social assistance uses the household (but not the extended family) as the unit of assistance and requires evidence that all possible means of financial support have been exhausted. Low-income individuals are expected to approach other members of their households for assistance and to deplete their household assets before they can expect to receive welfare benefits. This means that an elderly mother living with her daughter would not be eligible for public assistance unless her daughter's household income and assets were below a certain level[9]. Expecting low-income individuals, especially parents, to deplete their resources before qualifying for social assistance is an unnecessary punitive stance that not all jurisdictions accept. Welfare recipients who deplete their assets would clearly experience more difficulty in rebuilding capital after moving off social benefits. Allowing higher levels of savings assists low-income parents to respond to financial emergencies with less stress and less dependence on government

[9] In contrast, workers' compensation and unemployment insurance are based on the previous employment income of the individual. The injured or unemployed worker is not required to depend on other household members or to deplete resources before qualifying for public assistance.

(Sherraden, 1991).

Several jurisdictions in my study pay much higher welfare benefits than Canada pays, and not all make a clear distinction between accepting paid work and receiving social benefits. For example, several countries (Australia, France, Germany and the Netherlands) provide a government benefit separate from "welfare" for mothers (or low-income mothers) to care for their children at home, without any obligation to look for work until their children reach a certain age (between 3 and 16 years, depending on jurisdiction). Most of the European countries allow parents with preschool children to work part-time while receiving certain income security benefits. Parents in Sweden, for example, have had the statutory right to eighteen months of paid parental leave at 90% of previous wage[10], and to convert their full-time jobs to part-time with no loss in job security until their children reach the age of eight. In addition, they are guaranteed paid employment leave for their child's illness of up to 60 days a year per child and the right to return to their full-time jobs within the eight years (Baker, 1995:175). Parents in France have the right to parental leave as well as child-rearing leave from paid work, and to work part-time until their children are three years old. Breast-feeding mothers are entitled to nursing breaks at work. In addition, the French government pays generous universal child allowances to families with a least two

[10] This was recently reduced to 16 months with the first 12 at 90% pay.

children until the children are seventeen years old (or twenty if they are students) and a supplement to this allowance for low-income families. Early childhood education is publicly funded for all children over the age of eighteen months in Sweden and two or three in France (ibid).

The European countries in my study are far more likely to target children and lone mothers for special government benefits. They have recognized that when mothers are abandoned to market forces without government protection, leave provisions, or subsidized child care services, these mothers often cannot compete with employees who do not become pregnant, have no family responsibilities, and are free to move to find a better position. In addition, several European countries have focused on full employment policies and provided more generous legislation for wage protection and pay equity (Baker, 1995). Yet even with these government programs, divorce rates are relatively low in many European countries and families continue to be solid and supportive of their own members.

Households with children in Canada, Australia and the United States are far more likely than in Sweden or the Netherlands to be living in poverty, especially if there is only one parent present and that parent is the mother (Baker, 1995). Income tax and transfer systems in both the Netherlands and Sweden are far more effective than in the liberal democracies in pulling households with children out of poverty. Single parents have poverty rates before taxes and government transfers of 40% in Sweden, 60% in the US, 64% in Canada and 76% in the Netherlands

(where women's labour force participation rates are low). On the other hand, poverty rates after taxes and transfers for single parents are 3% in Sweden, 24% in the Netherlands, 48% in Canada and 53% in US (Ross, Scott & Kelly, 1996). Sweden has maintained very low poverty rates despite moderate divorce rates[11] and low marriage rates[12]. The European countries provided a number of social supports to help women enter and remain in the labour force. These measures have included creating public sector jobs, developing statutory parental benefits and enforcing pay equity (Baker, 1995). Despite these efforts, though, Swedish women still earn less than men and tend to be clustered in lower-paid and part-time positions (Hernes, 1987).

Not surprisingly, the European countries I have studied have allocated more public resources to social spending than Canada and especially than the US. Excluding health expenditures, social spending on income security was 26.3% of GDP in Sweden, 22.9% in the Netherlands, 11.9% in Canada and 9.4% in the US in 1991 (Ross, Scott & Kelly, 1996: 25). Furthermore, although social spending as a percentage of gross domestic product has increased in all countries, the increase is not dramatic in Canada. Social spending, including health care, unemployment insurance, family transfers, disability pensions and services, and old age pensions

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[11] In 1992, there were 2.5 divorces per 1,000 population in Sweden, 2.8 in Canada, and 1.7 in Germany. Yet in the US, there were 4.8 (Baker, 1995:59).

[12] The marriage rate was 4.3 marriages per 1,000 population in Sweden, compared to 5.6 in Germany, 5.9 in Canada and 9.3 in the US (Baker, 1995:59).

(but excluding education) in 1981 comprised 15.3% of the GDP (Kerans, 1990) but by 1990 had reached 18.8% of GDP (Smith, 1994:A6).

Families, Responsibility and Government

This review of policy alternatives leads us to several conclusions. The first is that family law and policy have always incorporated and regulated intergenerational relations. These laws will continue to be influenced by pressure groups that want legislation to better reflect their own view of social reality. Second, we cannot discuss family policy without also referring to labour market strategies and taxation policy. Third, the push toward privatization, individual rights and reliance on market forces that is so prevalent in North America is only one approach, and one that is not shared by all jurisdictions in my research.

Attempting to return to private responsibility in times of high unemployment and economic uncertainty creates undue hardships for families with children. From examining international low-income rates, it is obvious that Canada has been relatively unsuccessful at keeping families out of poverty, especially single parents. We have been more successful, however, at keeping seniors out of poverty because we have placed more public resources into old age pensions than into child benefits.

Family poverty and marriage breakdown cannot be overcome entirely by insisting on greater family responsibility, but it can be influenced by the generosity

and scope of government benefits. Poverty can also be influenced by the availability of jobs with statutory protection, such as pay equity, parental benefits and leave for family responsibilities, as well as the availability and affordability of child care. Finally, the economic and social well-being of families is influenced by the existence of universal social programs such as health insurance, unemployment insurance and public pensions (Wennemo, 1994; Baker, 1995).

Although government ideology is now focusing on `employability' and individual responsibility, Canadian governments have not provided the necessary economic and social supports to enable this to happen. First and foremost, I believe that the diminishing number of jobs need to be protected by government and shared among more workers. This could include bans on overtime, longer statutory leave (for vacation and family responsibilities), requiring prorated benefits for part-time work, and insisting that employers provide greater job security for their employees when they accept government subsidies. In addition, citizens need better opportunities to work part-time without serious tax penalties while retaining welfare benefits. Employees also need enforceable employment and pay equity programs, subsidized child care services, and solid public pensions. Informal caregivers need more visiting homemaker and respite care programs, better-funded community care services, and statutory family leave from employment.

Although I realize that these programs are expensive, they are given greater priority and funding in countries such as Sweden and France than in North America.

Clearly, to establish and maintain such programs requires a strong commitment to the collectivity, long-term policy planning, higher taxes for some sectors of the population, and co-operation among various levels of government. Is this more than Canadians can expect?

The concern about intergenerational equity and conflict is real. Many young university graduates can barely find part-time work to pay off their student loans and support themselves. At the same time, some people in their 50s have retained secure high-paying positions (regardless of their productivity) and expect to enjoy private retirement benefits as well as public pensions. Yet we are being encouraged by right-wing forces to view the solution to this problem as reduced benefits for social assistance, less government regulation of the labour market and targeted public pensions. Instead, we should be making greater efforts to reduce unemployment rates while ensuring that social benefits (such as maternity benefits and pensions) are not tied to full-time continuous employment. Instead, social benefits could be tied to citizenship.

If all citizens of Canada were guaranteed income security during unemployment or childbirth, future health services, and adequate public pensions regardless of their labour force status, there would be greater support for the welfare state among young people. In order to afford these changes, we need to raise rather than lower the premiums for UI. The premiums for CPP/QPP need to be raised substantially, and more careful enforcement is needed on the disability

portion of the insurance. In addition, we must continue to reform our health care system in order to place greater emphasis on social health, chronic care services and community care, and less emphasis on acute care, new technology, heroic medical interventions and hospital-based care. Finally, we have spent too much time listening to business-focused critiques of the welfare state and policy solutions such as workfare from the United States. Now, we need to look to European countries such as Sweden and Germany for more positive policy options, especially in the area of job creation, employment training programs and family benefits. Despite the fact that these countries have experienced some of the same problems as we have, they seemed to have resolved them more effectively than many North American jurisdictions.

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